

# HOUSE BILL REPORT

## HJM 4000

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**As Reported by House Committee On:**  
Human Services

**Brief Description:** Requesting passage of the federal act to restore payment of county health care costs.

**Sponsors:** Representatives O'Brien, Warnick, Takko, Morrell, Hasegawa, Simpson and Moeller.

**Brief History:**

**Committee Activity:**

Human Services: 1/19/09, 1/28/09 [DP].

**Brief Summary of Bill**

- Requests that the U.S. Congress pass the Restoring Partnership for County Health Care Costs Act of 2008.

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### HOUSE COMMITTEE ON HUMAN SERVICES

**Majority Report:** Do pass. Signed by 7 members: Representatives Dickerson, Chair; Orwall, Vice Chair; Dammeier, Ranking Minority Member; Green, Morrell, O'Brien and Walsh.

**Minority Report:** Without recommendation. Signed by 1 member: Representative Klippert.

**Staff:** Linda Merelle (786-7092)

**Background:**

Under federal law, a person who is in a public institution involuntarily is considered to be an "inmate" of a public institution. As a result, persons who are unable to make bail and are incarcerated pending trial are not eligible for federal benefits such as Medicaid, Medicare, Supplementary Security Income, or State Children's Health Insurance Program benefits, even though no finding of guilt has been made. In April 2008 House Resolution 5698 (HR 5698), the Restoring Partnership for County Health Care Costs Act of 2008, was introduced to the 110th U.S. Congress. It was subsequently referred to the Subcommittee on Income Security

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and Family Support, where it remained in committee. If HR 5698 were passed by Congress, the definition of "inmate of a public institution" would be amended to exclude individuals who are in custody pending the disposition of charges. Under the amended definition, a person in custody, but not adjudicated guilty, may continue to receive or apply for federal benefits.

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**Summary of Bill:**

The Joint Memorial requests the President, the President of the U.S. Senate, the Speaker of the U.S. House of Representatives, and the U.S. Congress to pass HR 5698, the Restoring Partnership for County Health Care Costs Act of 2008.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Staff Summary of Public Testimony:**

(In support) This bill is submitted in an effort to take the financial pressure off city and county governments who must incur the costs of incarceration of persons in jail. Those who have been charged but have not gone to trial, under the current law, have their access to federal funds, such as Supplemental Security Income, cut. If they are found not guilty, it can take months to get the benefits started again. In cases where there might be mental illness, that can be devastating because they are more likely to decompensate when they are no longer receiving federal medical assistance. The local governments do not have the horsepower to dig up funding. This bill asks that Congress put the federal bill on the President's desk to provide relief for the cities and counties. The issues are bigger than money for the counties. Everyone has a constitutional right to health care, but when they walk through the door, they are no longer eligible, often because they do not have funds to make bail.

(Opposed) None.

**Persons Testifying:** Representative O'Brien, prime sponsor; and Deb Wilke, Washington Association of County Officials.

**Persons Signed In To Testify But Not Testifying:** None.